

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KENNETH STUDER,

No. 2:16-cv-02353-AC

Plaintiff,

ORDER

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation [31] on December 12, 2018, in which he recommends that the Court grant Plaintiff's motion for an award of attorney fees of \$4,817.88 under the Equal Access to Justice Act, 28 U.S.C. § 2412. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

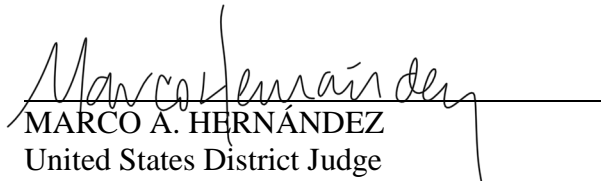
Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation [31]. Accordingly, Plaintiff's Application for Fees Pursuant to EAJA [26] in the amount of \$4,817.88 is GRANTED.

IT IS SO ORDERED.

DATED this 8 day of Feb, 2019

  
MARCO A. HERNÁNDEZ  
United States District Judge